

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

August 9, 2006

The Fair Housing Board Meeting was held at the Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia. The following Board members were present:

David B. Rubinstein, Chairman
Neil Bhatt
Rhonda Harmon
Martin Maples
Robert Ruais
James Schuyler

The following Board Members were not present: Jeffrey Adkins, Mark Berven, Cynthia Clare, Laura Dupuy, Penny Johnson

DPOR Staff present for all or part of the meeting included:

Jay DeBoer, Director
David Ashe, Chief Deputy Director
Liz Hayes, Fair Housing Administrator
Nick Christner, Deputy Director
Karen O'Neal, Deputy Director
Christine Martine, Executive Director
Chris Olson, Administrative Assistant
Tammie Hall, Education Administrator
Deanda Shelton, Fair Housing Investigator
Trudy Miller, Fair Housing Investigator
Karen Taylor, Fair Housing Specialist
Robert Whittaker, Program Conciliator

Tom Payne, Assistant Attorney General with the Office of the Attorney General, was present.

Chairman Rubinstein called the meeting to order at 10:10 AM.

Call to Order

A motion was made by Ms. Harmon and seconded by Mr. Maples to approve the Agenda. The motion passed unanimously. Members voting

Agenda

"Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

No one addressed the Board during the Public Comment Period.

Public Comment

A motion was made by Mr. Bhatt and seconded by Mr. Schuyler to approve the following minutes: June 20, 2006, Fair Housing Board Meeting. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

Minutes

The Board agreed without dissent to defer the following case to their next scheduled Board meeting to allow staff the opportunity to collect additional documentation:

Deferred Cases

- **FHB File Number 2006-00591, Joseph and Sherry France v. Carl Adenauer and Roadrunner Enterprises, Inc.**

In the matter of **FHB File Number 2005-02335, Patricia Schaff v. Chat Hughey, Toni DiChiacchio, Ithaca Properties, LC, and AJAX LLC**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Dave Honadal, attorney for the respondent, was present and addressed the Board. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2005-02335, Patricia Schaff v. Chat Hughey, Toni DiChiacchio, Ithaca Properties, LC, and AJAX LLC

In the matter of **FHB File Number 2006-03894, Shannan Lewis v. Ashton Green Apartments, LP**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-03894, Shannan Lewis v. Ashton Green Apartments, LP

In the matter of **FHB File Number 2006-01766 Jackie and Rolin Hutching v. Melvin and Windy Belcher**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Maples and seconded by Ms. Harmon to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-01766 Jackie and Rolin Hutching v. Melvin and Windy Belcher

In the matter of **FHB File Number 2006-03562 Mary Hill v. George Bumpass**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Maples to close the case

FHB File Number 2006-03562 Mary Hill v. George Bumpass

with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

In the matter of **FHB File Number 2006-02515, Courtney Kent v. George Davies, Carmen Brown and CAMG, Inc.**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Feliscia William, Mother of the complainant, was present and addressed the Board. A motion was made by Ms. Harmon and seconded by Mr. Schuyler to refer the matter to the Office of the Attorney General for an official consultation. The motion passed by majority vote. Members voting "Yes" were Bhatt, Harmon, Maples, Rubinstein, and Schuyler. Member voting "No" was Ruais

FHB File Number 2006-02515, Courtney Kent v. George Davies, Carmen Brown and CAMG, Inc.

In the matter of **FHB File Number 2005-03838, Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright)** the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Beverly Ergenbright, the respondent, was present and addressed the Board. A motion was made by Mr. Ruais and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion failed. Members voting "Yes" were Maples and Ruais. Members voting "No" were Harmon, Rubinstein, and Schuyler. Mr. Bhatt abstained from voting in the matter.

FHB File Number 2005-03838, Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright)

At 11:05 PM. Ms. Harmon made a motion which was seconded by Mr. Maples, that the Board recess and the Board immediately reconvene in **closed meeting** for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by § 2.2-3711.A.7 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic: Tom Payne, Liz Hayes, Karen O'Neal, Deanda Shelton, Nick Christner, and David Ashe

Closed Meeting

This motion is made with respect to the matter(s) identified as agenda item(s):

17. FHB File Number 2005-03838, Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright)

At 11:49 AM., a motion was made by Mr. Schuyler and seconded by Ms. Harmon that the Board reconvene in open session.

WHEREAS, the Fair Housing Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Certification

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by this Fair Housing Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Fair Housing Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fair Housing Board.

VOTE: 6-0

AYES Bhatt, Harmon, , Maples, Ruais, Rubinstein, and Schuyler

NAYS: None

ABSENT DURING THE VOTE: None

ABSENT DURING THE MEETING: Adkins, Berven, Clare, Dupuy, and Johnson

In the matter of **FHB File Number 2005-03838, Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright)**, a motion was made by Ms. Harmon and seconded by Mr. Schuyler to find reasonable cause against the respondent in the matter of refusal to rent based on familial status. The motion failed. Members voting "Yes" were Harmon, Rubinstein, and Schuyler. Members voting "No" were Bhatt, Maples, and Ruais.

FHB File Number 2005-03838, Gary Rose and Helen Jackson v. Irene Sprouse, Ellis Sprouse, and Beverly Sprouse (Ergenbright)

A motion was made by Mr. Ruais and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion failed. Members voting "Yes" were Bhatt, Maples, and Ruais. Members voting "No" were Harmon, Rubinstein, and Schuyler.

Due to the failure to have a majority vote, this case will be deferred to the next scheduled Board meeting.

In the matter of **FHB File Number 2006-02466, Joseph and Dorothy Nash v. River Ridge Association, Inc. and Bobby Phelps**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-02466, Joseph and Dorothy Nash v. River Ridge Association, Inc. and Bobby Phelps

In the matter of **FHB File Number 2006-03105, Tammy Ligon v. Faye Gainey, LIC South Boston LP and LEI Halifax LP**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-03105, Tammy Ligon v. Faye Gainey, LIC South Boston LP and LEI Halifax LP

In the matter of **FHB File Number 2006-02148, Heather and David Spitler v. Delmar and Joanne Vance**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-02148, Heather and David Spitler v. Delmar and Joanne Vance

In the matter of **FHB File Number 2006-03172, Charles Ferebee v. Candace Altschul**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-03172, Charles Ferebee v. Candace Altschul

In the matter of **FHB File Number 2006-02903, Jerel and Patricia Edwards v. Farideh Esmial Zanjani**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Harmon and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-02903, Jerel and Patricia Edwards v. Farideh Esmial Zanjani

The Board considered the matters of **FHB File Number 2006-04462,**

Conciliation Agreements

Lesley Bolton v. Remington Place Limited Partnership, FHB File Number 2006-05230, Leonora Studivant v. Annetta M. Lane Housing, Inc., FHB File Number 2006-05030, Charles Collins v. Denise Bennett and Shenandoah Station LP, FHB File Number 2005-00450, Corey Ogletree v. Sonia Lownsbury, Williamsburg Townhouses, LLC, FHB File Number 2005-04941, Bernadette Chamberlin v. Citas White, Pat Waddy, Claridge House/Alexandria Associates LTD., Cafritz Company, and FHB File Number 2006-04866, Virginia Fair Housing Board v. Ron England. A motion was made by Ms. Harmon and seconded by Mr. Schuyler to approve the terms of the conciliation agreements as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

In the matter of **FHB File Number 2006-03528, Lorraine Gordon v. Gary Price and Evelyn Price**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. After discussion, the Board agreed without dissent to defer this case to their next scheduled Board Meeting to allow staff the opportunity to collect additional information.

FHB File Number 2006-03528, Lorraine Gordon v. Gary Price and Evelyn Price

In the matter of **FHB File Number 2006-03070, Maria Diaz and Rafael Hernandez-Barrera v. Debra Redman and Richard Steven Trainor**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Maples and seconded by Mr. Ruais to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler.

FHB File Number 2006-03070, Maria Diaz and Rafael Hernandez-Barrera v. Debra Redman and Richard Steven Trainor

Tammie Hall gave the Education Committee Report. A motion was made by Mr. Schuyler and seconded by Ms. Harmon to accept the Education Committee Report. The motion passed unanimously. Members voting "Yes" were Bhatt, Harmon, Maples, Ruais, Rubinstein, and Schuyler. The meeting adjourned at 12:25 PM.

Education Report

Adjourn

Jay DeBoer, Secretary